

MESSAGE NO: 9363004

MESSAGE DATE: 12/29/2009

MESSAGE STATUS: Active

CATEGORY: Countervailing

TYPE: ORD-Order

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): C-533-849

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 12/10/2009

TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF COMMODITY
MATCHBOOKS FROM INDIA (C-533-849)

MESSAGE NO: 9363004

DATE: 12 29 2009

CATEGORY: CVD

TYPE: ORD

REFERENCE:

REFERENCE DATE:

CASES: C - 533 - 849

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PERIOD COVERED: 12 10 2009 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF
COMMODITY MATCHBOOKS FROM INDIA (C-533-849)

1. ON 12/11/2009, COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ITS COUNTERVAILING DUTY ORDER IN THE INVESTIGATION OF COMMODITY
MATCHBOOKS FROM INDIA (74 FR 65740).

2. THE SCOPE OF THIS ORDER COVERS COMMODITY MATCHBOOKS, ALSO
KNOWN AS COMMODITY BOOK MATCHES, PAPER MATCHES OR BOOKLET
MATCHES. (NOTE 1, BELOW) COMMODITY MATCHBOOKS TYPICALLY, BUT
DO NOT NECESSARILY, CONSIST OF TWENTY MATCH STEMS WHICH ARE
USUALLY MADE FROM PAPERBOARD OR SIMILAR MATERIAL TIPPED WITH A

MATCH HEAD COMPOSED OF ANY CHEMICAL FORMULA. THE MATCH STEMS MAY BE STITCHED, STAPLED OR OTHERWISE FASTENED INTO A MATCHBOOK COVER OF ANY MATERIAL, ON WHICH A STRIKING STRIP COMPOSES OF ANY CHEMICAL FORMULA HAS BEEN APPLIED TO ASSIST IN THE IGNITION PROCESS.

COMMODITY MATCHBOOKS INCLUDED IN THE SCOPE OF THIS ORDER MAY OR MAY NOT CONTAIN PRINTING. FOR EXAMPLE, THEY MAY HAVE NO PRINTING OTHER THAN THE IDENTIFICATION OF THE MANUFACTURER OR IMPORTER. COMMODITY MATCHBOOKS MAY ALSO BE PRINTED WITH A GENERIC MESSAGE SUCH AS "THANK YOU" OR A GENERIC IMAGE SUCH AS THE AMERICAN FLAG, WITH STORE BRANDS (E.G., KROGER, 7-ELEVEN, SHURFINE OR GIANT); PRODUCT BRANDS FOR NATIONAL OR REGIONAL ADVERTISERS SUCH AS CIGARETTES OR ALCOHOLIC BEVERAGES; OR WITH CORPORATE BRANDS FOR NATIONAL OR REGIONAL DISTRIBUTORS (E.G., PENLEY CORP. OR DIAMOND BRANDS).

THEY ALL ENTER RETAIL DISTRIBUTION CHANNELS. REGARDLESS OF THE

MATERIALS USED FOR THE STEMS OF THE MATCHES AND REGARDLESS OF THE WAY THE MATCH STEMS ARE FASTENED TO THE MATCHBOOK COVER, ALL COMMODITY MATCHBOOKS ARE INCLUDED IN THE SCOPE OF THIS ORDER.

ALL MATCHBOOKS, INCLUDING COMMODITY MATCHBOOKS, TYPICALLY COMPLY

WITH THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION (CPSC) SAFETY STANDARD FOR MATCHBOOKS, CODIFIED AT 16 CFR 1202 .1 ET SEQ.

THE SCOPE OF THIS ORDER EXCLUDES PROMOTIONAL MATCHBOOKS, OFTEN REFERRED TO AS "NOT FOR RESALE," OR "SPECIALITY ADVERTISING" MATCHBOOKS, AS THEY DO NOT ENTER INTO RETAIL CHANNELS AND ARE SOLD TO BUSINESSES THAT PROVIDE HOSPITALITY, DINING, DRINKING OR ENTERTAINMENT SERVICES TO THEIR CUSTOMERS, AND ARE GIVEN AWAY BY THESE BUSINESSES AS PROMOTIONAL ITEMS. SUCH PROMOTIONAL MATCHBOOKS ARE DISTINGUISHED BY THE PHYSICAL CHARACTERISTICS OF HAVING THE NAME AND/OR LOGO OF A BAR, RESTAURANT, RESORT, HOTEL, CLUB, CAFE/COFFEE SHOP, GRILL, PUB,

EATERY, LOUNGE, CASINO, BARBECUE OR INDIVIDUAL ESTABLISHMENT PRINTED PROMINENTLY ON THE MATCHBOOK COVER. PROMOTIONAL MATCHBOOK COVER PRINTING ALSO TYPICALLY INCLUDES THE ADDRESS AND THE PHONE NUMBER OF THE BUSINESS OR ESTABLISHMENT BEING PROMOTED. (NOTE 2, BELOW)

ALSO EXCLUDED ARE ALL OTHER MATCHES THAT ARE NOT FASTENED INTO A MATCHBOOK COVER SUCH AS WOODEN MATCHES, STICK MATCHES, BOX MATCHES, KITCHEN MATCHES, POCKET MATCHES, PENNY MATCHES, HOUSEHOLD MATCHES, STRIKE-ANYWHERE MATCHES (AKA "SAW" MATCHES), STRIKE-ON-BOX MATCHES (AKA "SOB" MATCHES), FIREPLACE MATCHES, BARBEQUE/GRILL MATCHES, FIRE STARTERS, AND WAX MATCHES.

THE MERCHANDISE SUBJECT TO THIS ORDER IS PROPERLY CLASSIFIED UNDER SUBHEADING 3605.00.0060 OF THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS). SUBJECT MERCHANDISE MAY ALSO ENTER UNDER SUBHEADING 3605.00.0030 OF THE HTSUS. ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE MERCHANDISE SUBJECT TO THIS ORDER IS DISPOSITIVE.

NOTE 1: SUCH COMMODITY MATCHBOOKS ARE ALSO REFERRED TO AS "FOR RESALE" BECAUSE THEY ALWAYS ENTER INTO RETAIL CHANNELS, MEANING BUSINESSES THAT SELL A GENERAL VARIETY OF TANGIBLE MERCHANDISE, E.G., CONVENIENCE STORES, SUPERMARKETS, DOLLAR STORES, DRUG STORES AND MASS MERCHANDISERS.

NOTE 2: THE GROSS DISTINCTIONS BETWEEN COMMODITY MATCHBOOKS AND PROMOTIONAL MATCHBOOKS MAY BE SUMMARIZED AS FOLLOWS: (1) IF IT HAS NO PRINTING, OR IS PRINTED WITH A GENERIC MESSAGE SUCH AS "THANK YOU" OR A GENERIC IMAGE SUCH AS THE AMERICAN FLAG, OR PRINTED WITH NATIONAL OR REGIONAL STORE BRANDS OR

CORPORATE BRANDS, IT IS COMMODITY; (2) IF IT HAS PRINTING, AND THE PRINTING INCLUDES THE NAME OF A BAR, RESTAURANT, RESORT, HOTEL, CLUB, CAFE/COFFEE SHOP, GRILL, PUB, EATERY, LOUNGE, CASINO, BARBECUE, OR INDIVIDUAL ESTABLISHMENT PROMINENTLY DISPLAYED ON THE MATCHBOOK COVER, IT IS PROMOTIONAL.

3. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER C-533-849.

4. FOR IMPORTS OF COMMODITY MATCHBOOKS FROM INDIA, CBP SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 12/10/2009. EFFECTIVE 12/10/2009, CBP SHALL REQUIRE, FOR SUCH ENTRIES, A CASH DEPOSIT EQUAL TO THE SUBSIDY RATES SHOWN BELOW:

PRODUCER: TRIVENI SAFETY MATCHES PVT., LIMITED
CASE NUMBER: C-533-849-001
SUBSIDY RATE: 9.88 PERCENT

PRODUCER: All OTHERS
CASE NUMBER: C-533-849-000
SUBSIDY RATE: 9.88 PERCENT

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577, RESPECTIVELY (GENERATED BY O6:AH).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

ALICE J. BUCHANAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party